



PATENT

Attorney Docket No. 915-007.141

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application Of:

Santtu NAUKKARINEN, et al.

Confirmation No.: **8466**

Application Serial No.: **10/534,012**

Group/Art Unit: **2618**

Filing Date: **May 5, 2005**

Examiner: **Tu X. NGUYEN**

Title: ***Mobile Electronic System***

Mail Stop: **APPEAL BRIEFS - PATENTS**

Commissioner of Patents

P.O. Box 1450

Alexandria, VA 22313-1450

REPLY BRIEF

Sir:

This Reply Brief is in reply to the Examiner's Answer mailed on December 4, 2009.

If any fee and/or extension is required in addition to any enclosed herewith, please charge Account No. 23-0442.

I hereby certify that this communication is being deposited with the United States Postal Service today, **February 4, 2010**, in an envelope with sufficient postage as first-class mail addressed to the Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Lissette Ramos

RESPONSE TO RESPONSE TO ARGUMENTS

In the Response to Arguments section of the Examiner's Answer, the Examiner asserts at page 8, lines 15-18 that Levine (US 2003/0135327) discloses an apparatus having a processing component that detects the aircraft heading and attitude, which way the aircraft is actually pointed, whether the aircraft is moving slow or not moving, the aircraft position relative to landmarks, or a boat's position relative to channels, boating hazards, buoy information, etc., citing paragraphs [0084], [0089], and [0104] of Levine. The Examiner then asserts that such movements of an aircraft or a boat are considered suggestions of a "current posture" of an apparatus, where the term "current posture" is that as used in the present appealed claims.

Further, in the Response to Arguments section (at page 9, lines 8-12), it is stated that paragraph [0102] of Levine mentions various operation[al] modes which are selected from user input, and that in one embodiment "Levine discloses a selected operation mode is based on input from filter 200, the filter 200 process is done from circuitry comparison between multiple navigational sources (par. 071), which is an embodiment the Examiner relies on." Applicant respectfully disagrees with these assertions made by the Office.

It is noted that paragraph [0071] of Levine states that an object of Levine is a system that uses only the most accurate and reliable characteristics of several individual navigational sources. Such selecting of the most reliable characteristics of several sources does not imply the selection of one of different operational modes and much less a selection of one of different presentation modes. Paragraph [0102] of Levine simply states that various operational modes are selected by a keypad. Nothing is stated or suggested about different modes of presentation.

It is also noted that the only passage of Levine which mentions different presentation modes is paragraph [0104]. The presentation modes are, by way of example, a 2-dimensional map which shows the position of a craft relative to landmarks; and a 3-dimensional display, which shows the position of a craft relative to features of the surrounding terrain; and a display showing a boat relative to waterway features. Thus, although a position of a craft relative to landmarks, etc. may be displayed, such position of a craft is not used as a basis for selecting one of the exemplary modes of presentation of

information. In fact, there is no disclosure or suggestion anywhere in Levine that would link data indicative of a current posture of a device to a mode of presentation of information.

Further, the Examiner at page 9, lines 20-22 relies on paragraph [0089] and [0111] of Levine for the proposition that aircrafts could be shown visually in different colors and this represents a different presentation mode. In fact, paragraph [0089] of Levine does not mention different modes of presentation and does not make a link between a posture of a craft and a mode of presentation of information. Even the suggested use of a certain color for representing an aircraft, such as when its brakes are on and the aircraft has zero thrust, does not depend on the current posture of the aircraft at all. Thus, even the use of color does not depend on the current posture of the aircraft.

Further, paragraph [0111] relied upon by the Examiner at page 9, lines 20-22, deals with the situation shown in Figure 4 of Levine where different aircraft are positioned on a cross-runway 620 such that the heading of the aircraft in combination with its position, velocity, and acceleration can be used to warn the aircraft of potential collision with another aircraft. Thus, it is the information of one aircraft relative to another that can be used to warn of a potential impending collision. There is no disclosure whatsoever that there is data indicative of the current posture of the aircraft for enabling a posture-related presentation of information to a user via an output component in which said processing includes selecting one of at least two different modes of presentation depending on said current posture of the apparatus (see claim 1 of the appeal claims).

Finally, the Examiner at page 9, lines 16-17 references paragraphs [0115] of Levine for a low-cost unit without keypads. This paragraph indicates that such low-cost units could be attached to mobile objects, such as barricades. There is no disclosure or suggestion that a unit provided without a keypad implies that data indicative of the current posture could be used for selecting a mode of presentation. The fact that the unit does not have a keypad is not seen as providing any teaching or suggestion to a person of ordinary skill in the art of the idea of the present invention as claimed of providing different modes of presentation and selecting such modes of presentation depending upon a current posture of the apparatus.

In view of the foregoing, it is respectfully submitted that Levine fails to disclose the present invention as set forth in independent claims 1, 15, 24, and 25, as well as the dependent claims thereto.

Conclusion

For all of the above-recited reasons, as well as those previously presented in applicant's Appeal Brief, it is respectfully submitted that the rejection of claims 1-10 and 14-25 of the present application is erroneous and should be reversed.

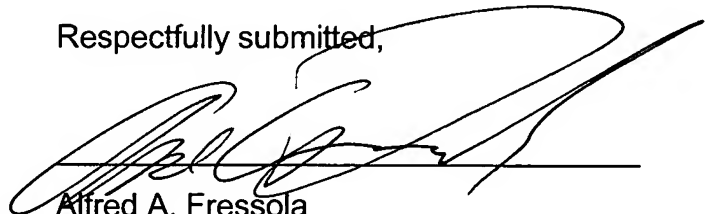
Allowance of all of the claims in the present application is earnestly solicited.

The undersigned respectfully submits that no fee is due for filing this Reply Brief. The Commissioner is hereby authorized to charge to deposit account 23-0442 any fee deficiency required to submit this paper.

Dated: February 4, 2010

WARE, FRESSOLA, VAN DER SLUYS
& ADOLPHSON LLP
755 Main Street, P.O. Box 224
Monroe, CT 06468
Telephone: (203) 261-1234
Facsimile: (203) 261-5676
USPTO Customer No. 004955

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Alfred A. Fressola', is written over a horizontal line.

Alfred A. Fressola
Attorney for Applicant
Registration No. 27,550